

Chevy Chase Village Board of Managers

June 11, 2012

BOARD OF MANAGERS

Patricia S. Baptiste, Chair	Present
Peter T. Kilborn, Vice Chair	Present
Richard Ruda, Secretary	Present
Thomas H. Jackson, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Michael L. Denger, Assistant Treasurer	Present
David L. Winstead, Board Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Police Chief	Present
Michael W. Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present

LEGAL COUNSEL

Ronald M. Bolt, Acting Village Counsel	Present
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Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:32 p.m. Mr. Ruda arrived at 7:34 p.m. and Mr. Winstead arrived at 8:17 p.m.

Approval of Minutes from the Board's Regular Meeting held on April 9, 2012

Mr. Denger requested the following amendment to the draft minutes:

Page 8, line 2: Delete "and proposed trees north of West Newlands Street will be submitted to the Chevy Chase Club for its Board's review" and replace with "the Village intends to work with the Chevy Chase Club with respect to the proposed plan for trees north of West Newlands Street".

Mr. Crockett moved to approve the minutes from the Board of Managers' regular monthly meeting held on May 14, 2012, as amended. Mr. Kilborn seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, and Mr. Denger voted in favor of the motion. Mr. Winstead had not yet arrived. The motion passed.

Variance & Special Permit Requests

A-6145 (Special Permit Request): Mr. & Mrs. Alvin A. (Tony) Schall; 103 Grafton Street

To replace an existing asphalt and concrete driveway with a wider cobblestone driveway that would measure a maximum of sixteen (16) feet in the front (south) yard of the property.

Mr. Kilborn moved to direct staff to draft a decision approving the special permit request to replace an existing asphalt and concrete driveway with a wider cobblestone driveway that would measure a maximum of sixteen (16) feet in the front (south) yard of the property. Mr. Jackson seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, and Mr. Denger voted in favor of the motion. Mr. Winstead had not yet arrived. The motion passed.

A-6146 (Variance Request): Mr. & Mrs. Jeffrey Shuren; 108 Hesketh Street

To reconstruct the steps leading to the front porch. The proposed reconstructed steps would extend an additional one foot, one inch (1'-1") beyond the existing steps for a maximum encroachment of six feet, eight inches (6'-8") forward of the twenty-five (25) foot front building restriction line.

Mr. Denger moved to direct staff to draft a decision approving the variance request to reconstruct the steps leading to the front porch. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, and Mr. Denger voted in favor of the motion. Mr. Winstead had not yet arrived. The motion passed.

A-6147 (Special Permit Request): Mr. & Mrs. Jeffrey Shuren; 108 Hesketh Street

To: a) construct a new pair of cheekwalls measuring one foot, two inches (1'-2") in height alongside reconstructed steps in the Hesketh Street public right-of-way. The proposed walls would terminate twelve (12) inches from the public sidewalk; and b) install a pair of handrails measuring four feet, six inches (4'-6") in length mounted to the proposed cheekwalls. Eighteen (18) inches of the railings will be installed on private property and thirty-six (36) inches of the railings will be installed in the Hesketh Street public right-of-way. The proposed handrails would terminate one foot, two inches (1'-2") from the public sidewalk.

Mr. Denger moved to direct staff to draft a decision approving the special permit requests to: a) construct a new pair of cheekwalls alongside reconstructed steps in the Hesketh Street public right-of-way; and b) install a pair of handrails mounted to the proposed cheekwalls, with the condition that the applicants execute a license to use the public right-of-way. Mr. Kilborn seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, and Mr. Denger voted in favor of the motion. Mr. Winstead had not yet arrived. The motion passed.

Treasurer's Report

The Treasurer's report was distributed to the Board prior to the meeting. No action was taken by the Board.

Police Report

The Police Report was circulated prior to the meeting. No action was taken by the Board.

Legal Counsel Report

The Legal Counsel Report was distributed prior to the meeting. No action was taken by the Board.

Committee & Commission Appointments

Ethics Commission

Ms. Davis-Cook presented a report on behalf of the Ethics Commission regarding the commission's review of new ethics ordinance requirements mandated by the State. Following a discussion of the new requirements, the Board concluded the following:

- The Village Board will submit to the State Ethics Commission a request for a full waiver from the new requirements, specifically due to the extensive financial reporting and disclosure requirements.
- Amend Counsel's draft transmittal letter to come from the Village Board instead of Village Counsel. The Board's letter will include additional factors such as:
 - Personalized from the perspective of sitting elected officials (*"had these requirements been in place when I ran for the Board, it would have discouraged, if not prevented me, from running...."*)
 - Highlight that all of the geographically surrounding municipalities currently have waivers
 - Explain that the relatively high operating budget for our jurisdiction (when compared to our population and geographic size) is due to our operation of a police department, the operation of which serves as a cost savings for the County; a fact for which we should not be penalized.
 - Note our continued efforts along with other municipalities for a legislative reversal of the additional requirements imposed upon smaller municipalities, which is causing a chilling effect on elected bodies across the State.
- Retrieve a copy of the Village of Martin's Additions' (MA; our immediately east neighbor) exemption application transmittal letter for reference.
- Determine over the coming weeks who best to represent the Village (Counsel, Board Member, Village Ethics Commissioner) at the State Ethics Commission hearing, expected to occur in September.
- The Board welcomes the Village Ethics Commission's submission of a follow-up letter to the State Ethics Commission regarding the Board's waiver application.

Counsel was excused from the remainder of the meeting at 8:31 p.m.

ad hoc Building Code Review Committee: Board Appointment of Committee members

Ms. Baptiste moved appointment of the following residents to the ad hoc Building Code Review Committee:

- David Jones of Primrose Street
- Marc Weller of East Melrose Street
- Greg Dixon of Montgomery Street
- James Durham of Primrose Street

Mr. Jackson seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed. Over the coming weeks, the Board will seek to appoint additional members to the committee via e-mail.

Traffic Committee

Mr. Wheeler advised that the Village continues to await an official determination from the Maryland State Highway Administration (SHA) on our request for a pedestrian activated crossing light at Connecticut Avenue and Lenox Street. Village staff has also requested several additional documents pertaining to the traffic study conducted by SHA back in March, for which we await receipt.

In response to earlier direction from the Board to evaluate the current posted speed limit within the community, Mr. Wheeler circulated a report from the committee requesting Board authorization to conduct a series of speed studies throughout the Village to support the committee's evaluation of whether the current 25 mph speed limit should be reduced to 20 mph.

The Board agreed that no further studies on this matter are warranted at this time.

Chevy Chase Open Space Committee

Mr. Younes provided an overview of the progress made thus far on the concept planning for the Chevy Chase Open Space Park. Park & Planning staff will be holding a second community meeting on Monday, June 18 at 7 p.m. in the Village Hall to discuss the concept plan and prioritizing what amenities should be installed. Notice will be sent via the blast e-mail system, website as well as to the Parks and Greenspaces Committee.

Old Business & Status Reports

Capital Improvement Program—Sidewalk Replacements

Mr. Younes stated that the following sidewalks are proposed to be replaced in fiscal year 2013:

- Cedar Parkway
- Grafton Street
- West Irving Street
- North side of West Lenox Street (between Cedar Parkway and Connecticut Avenue)
- West Melrose Street
- Primrose Street (between Connecticut Avenue and Brookville Road)

Mr. Crockett moved to approve the sidewalk replacement schedule for fiscal year 2013, as proposed. Mr. Denger seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, and Mr. Denger voted in favor of the motion. Mr. Winstead was not present for the vote. The motion passed.

Proposed Policy Regarding the Planting of Trees in Public Rights-of-Way

Tree Committee Chair Samuel Lawrence presented an overview of the draft policy, which was circulated to the Board prior to the meeting. The Board agreed to amend the policy to require direct notice of proposed plantings to the directly abutting household.

Mr. Crockett moved to approve the policy regarding the planting of trees in public rights-of-way, as amended. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

Proposed Wisconsin Avenue Sidewalk

The Board received an update on the recent walk-thru with representatives from the State Highway Administration regarding the potential tree loss due to the construction of the sidewalk. No action was taken by the Board.

New Business

Contract Award Authorization – Janitorial Services (Village Hall)

A report outlining the staff's contract award recommendation for janitorial services (Village Hall) to *Century Cleaning, LLC* was circulated to the Board prior to the meeting.

Mr. Crockett moved to authorize the Village Manager to enter into a contract with Century Cleaning, LLC to provide janitorial services in the Village Hall and offices in the amount of \$1,541.67 per month. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

Manager's Report

The Manager's Report was circulated prior to the meeting. No action was taken by the Board.

Staff Reports

Building and Tree Removal Permits and Permitting & Code Enforcement Activity Reports

The Building and Tree Removal Permit and Permitting & Code Enforcement Activity Reports were circulated prior to the meeting. No action was taken by the Board.

Capital and Infrastructure Upgrade Projects Report

The Capital Infrastructure Upgrade Projects Report was circulated prior to the meeting. No action was taken by the Board.

Village Hall Activity Report

The Village Hall Activity Report was circulated prior to the meeting. No action was taken by the Board.

Mr. Kilborn moved to adjourn the regular meeting. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger and Mr. Winstead voted in favor of the motion. The motion passed. The meeting adjourned at 9:40 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.